

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**March 30 - April 3, 1998**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-31	EX	74/671,877	House of Westmore, Inc.	Hanak Quinn Walters*	2(d)	Refusal Affirmed		"PRISMATIQUE COLOUR" [cosmetics, namely, liquid foundation]	"PRISMATIC" [liquid make-up preparation for the face, which can also be used as a powder base]	Salemi	No
3-31	OPP	101,017	Burkard Publishing Corp. and Eugene R. Burkard v. John A. Towsley	Sams Hairston Walters*	2(d)	Opposition Sustained (but only as to opposer Eugene R. Burkard)	"BUNS" [underwear pants for men and women]	"NICE BUN" [men's and women's clothing, namely, jeans, slacks, shorts, underwear, and swimwear]			No
4-1	OPP	94,794	Nabisco, Inc. v. Bluebonnet Nutrition Co.	Cissel* Hairston Walters	2(d)	Opposition Sustained	"BLUE BONNET" [oleomargarine]	"BLUEBONNET" (and design) [dietary supplements]			No
4-2	EX	74/166,555	Bell & Howell Document Management Products Co.	Simms (D) Hanak* Hairston	genericness; whether applicant's mark has acquired distinctiveness and is registrable under Sec. 2(f)	Refusal Reversed		"IMAGE SEARCH" [microfilm computer-assisted document management and retrieval system, comprising microfilm camera, microfilm reader/printer, computer record server, computers, computer monitors, computer printers and system software, all for the storage, retrieval and management of documents and information]		Crawford	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) \*=Opinion Writer; (D)=Dissenting Panel Member

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**March 30 - April 3, 1998 (continued)**

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4-3	OPP	91,352	Goodyear Tire & Rubber Co. v. Vogue Tyre & Rubber Co.	Rice Simms Cissel*	whether the matter applicant seeks to register is distinctive of its goods and, therefore, registrable under Sec. 2(f) or is, instead, non-distinctive ornamentation of its goods	Opposition Sustained		a gold annual stripe approximately in the center of the sidewall of black sidewall tires [automobile tires]			No

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